

REMARKS

Status of Claims and Amendment

Claims 1-17 and 19-25 are all the claims pending in the application. Claims 1-17 and 19-25 have been amended. Claim 18 has been canceled.

Claims 1-17 and 19-25 have been amended to even further clarify a “method for the treatment or prophylaxis of osteoarthritis.” Support for the amendment to the claims may be found throughout the specification. Applicants note that one of ordinary skill in the art would recognize and understand from reading the disclosure in the specification, Applicants’ intent to provide a method of treatment using the claimed sulphated polysaccharides or sulphated oligosaccharides.

No new matter is added.

Information Disclosure Statements

Applicants thank the Examiner for acknowledging the Information Disclosure Statements filed August 23, 2006 and February 12, 2007, by returning a signed and initialed copy of the PTO/SB/08A & B Forms submitted therewith.

Response To Objections To The Specification

The Examiner objects to the abstract appearing on the first page of the WIPO document (WO 2005/084610) and request it to be typed on a separate sheet of paper and to be filed.

In response, Applicants note that the PTO IFW indicates that the abstract was filed on August 23, 2006 with on a separate sheet of paper. Nevertheless, Applicants have amended the abstract to delete “New therapeutic use for a group of sulphated polysaccharides”.

Withdrawal of the grounds of objection is respectfully requested.

Response To Claim Rejections Under 35 U.S.C. § 101

Claims 1-25 are rejected under 35 U.S.C. § 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in a improper definition of a process.

In response, Applicants note that the claims have been amended to recite “a method for the treatment or prophylaxis of osteoarthritis.” One of ordinary skill in the art would understand from reading the specification, that it is Applicants’ intent that the sulphated polysaccharide be used in a method for treatment or prophylaxis of osteoarthritis.

Accordingly, reconsideration and withdrawal of the rejection under § 101 rejection is respectfully requested.

Response To Claim Rejections Under 35 U.S.C. § 112

Claims 1-25 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action asserts that although claims 1-25 provide for the use of a sulphated polysaccharide, the claims are unclear because the claims do not set forth any steps involved in the method/process.

In response, and solely to advance prosecution of the present application, Applicants have amended the claims to recite positive steps involved in the method for the treatment or prophylaxis of osteoarthritis.

Accordingly, reconsideration and withdrawal of the rejection under § 112, second paragraph rejection is respectfully requested.

Miscellaneous

Applicants also submit herewith an attached document prepared by the Medical Department of Bioiberica with a brief explanation of the diseases discussed in the nine documents cited in the Information Disclosure Statement filed February 12, 2007.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Tu A. Phan/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Tu A. Phan, Ph.D.
Registration No. 59,392

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